LAW OFFICES OF DALE K. GALIPO Dale K. Galipo (SBN 144074) dalekgalipo@yahoo.com Marcel F. Sincich (SBN 319508) msincich@galipolaw.com 21800 Burbank Boulevard, Suite 310 3 Woodland Hills, CA 91367 Telephone: (818) 347-3333 Facsimile: (818) 347-4118 4 5 THE SEHAT LAW FIRM, PLC Cameron Sehat, Esq. (SBN 256535) 18881 Von Karman Ave., Ste. 850 6 7 Irvine, CA 92612 Telephone: (949) 825-5200 Facsimile: (949) 313-5001 8 9 Attorneys for Plaintiffs: Patrick Russell, and Lynne Russell, both individually, 10 and as successors in interest to Patrick John Russell 11 12 UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA 13 14 PATRICK RUSSELL, as Personal Case No.: 17-CV-00125-JLS (DFM) Representative of the Estate of Patrick 15 John Russell and individually; LYNNE [Honorable Josephine L. Staton] RUSSELL, as Personal Representative 16 of the Estate of Patrick John Russell and PLAINTIFFS' [PROPOSED] individually, SPECIAL VERDICT FORM 17 Plaintiffs, FPTC: June 8, 2018 18 Trial: July 3, 2018 VS. 19 COUNTY OF ORANGE; ORANGE 20 **COUNTY SHERIFF-CORONER** SANDRA HUTCHENS, individually 21 and in her official capacity; JOSELYN LUMITAP, individually; PATTI TROUT, individually; MARIA 22 TEOFILO, individually; THOMAS LE, individually, and DOES 1 through 10, 23 inclusive. 24 Defendants. 25 26 27 28

1	PROPOSED SPECIAL VERDICT FORM		
2			
3	QUESTION 1 : Were	any of the follow	ing Defendants deliberately
4	indifferent to the medical nee	eds of Mr. Russell	?
5			
6	Jocelyn Lumitap	YES	NO
7	Patti Trout	YES	NO
8	Maria Teofilo	YES	NO
9	Thomas Le, D.O.	YES	NO
10			
11	If you answered "yes" as to	any of the Defendo	ants in Question 1, please answer
12	Question 2 for those Defe	endants.	
13	If you answered "no" as to a	all of the Defendan	ts in Question 1, please answer
14	Question 4.		
15			
16	QUESTION 2 : Was the deliberate indifference to the medical needs of Mr.		
17	Russell a cause of pre-death	suffering and loss	of enjoyment of life to Mr. Russell?
18			
19	Jocelyn Lumitap	YES	NO
20	Patti Trout	YES	NO
21	Maria Teofilo	YES	NO
22	Thomas Le, D.O.	YES	NO
23			
24	Please proceed to the next qu	uestion.	
25			
26	///		
27	///		
28			

PLAINTIFFS' [PROPOSED] SPECIAL VERDICT FORM

17-CV-00125-JLS (DFM)

1	QUESTION 3: Was the deliberate indifference to the medical needs of Mr.		
2	Russell a cause of Mr. Russell's death?		
3			
4	Jocelyn Lumitap	YES	NO
5	Patti Trout	YES	NO
6	Maria Teofilo	YES	NO
7	Thomas Le, D.O.	YES	NO
8			
9	Please proceed to the next q	uestion.	
10			
11	QUESTION 4 : Wer	e any of the followi	ng Defendants negligent towards Mr.
12	Russell?		
13			
14	Jocelyn Lumitap	YES	NO
15	Patti Trout	YES	NO
16	Maria Teofilo	YES	NO
17	Thomas Le, D.O.	YES	NO
18			
19	If you answered "yes" to an	y of the Defendants	s in Questions 4, please answer
20	Question 5 for those Def	endants.	
21	If you answered "no" as to all of the Defendants in Question 4, but answered "yes"		
22	as to any of the Defendants in Questions 2 or 3, please answer Question 6.		
23			
24			
25			
26	///		
27	///		
28	///		
		-3-	17-CV-00125-JLS (DFM)

-3PLAINTIFFS' [PROPOSED] SPECIAL VERDICT FORM

1	QUESTION 5 : Was	s the negligence a c	ause of Mr. Russell's death?
2			
3	Jocelyn Lumitap	YES	NO
4	Patti Trout	YES	NO
5	Maria Teofilo	YES	NO
6	Thomas Le, D.O.	YES	NO
7			
8	Please proceed to the next of	question.	
9			
10	QUESTION 6: Did	any of the following	g Defendants fail to summon
11	reasonable medical care for	Mr. Russell?	
12			
13	Jocelyn Lumitap	YES	NO
14	Patti Trout	YES	NO
15	Maria Teofilo	YES	NO
16	Thomas Le, D.O.	YES	NO
17			
18	If you answered "yes" as to	any of the Defende	ants in Question 6, please answer
19	Question 7 for those Defendants.		
20	If you answered "no" as to	all of the Defendar	nts in Question 6, but answered "yes"
21	as to any of the Defendants in Questions 2 or 3, please answer Question 8.		
22	If you answered "no" as to all of the Defendants in Questions 2, 3, 5 and 6, please		
23	sign and return this form.		
24			
25			
26			
27			
28			
		-4-	17-CV-00125-JLS (DFM)

PLAINTIFFS' [PROPOSED] SPECIAL VERDICT FORM

1	QUESTION 7: Was the failure to summon reasonable medical care a			
2	substantial factor in causing Mr. Russell's death?			
3				
4	Jocelyn Lumitap	YES	NO	
5	Patti Trout	YES	NO	
6	Maria Teofilo	YES	NO	
7	Thomas Le, D.O.	YES	NO	
8				
9	If you answered "yes" as to	any of the Defen	dants in Questions 2 or 3, please	
10	answer Question 8.			
11	If you answered "no" as to	all of the Defendo	ants in both Questions 2 and 3, but	
12	answered "yes" as to an	y of the Defendar	nts in either Question 5 or 6, please	
13	answer Question 8.			
14				
15	QUESTION 8: What are Mr. Russell's damages for pain and suffering, and			l
16	loss of enjoyment of life?			
17				
18		\$		
19				
20	If you answered "yes" as to any of the Defendants in Questions 3, 5, or 7, please			
21	answer Question 9.			
22				
23				
24				
25	///			
26	///			
27	///			
28				
		-5-	17-CV-00125-JLS (I)F
	PLAIN	TIFFS' [PROPOSED] S	PECIAL VERDICT FORM	

1	QUESTION 9: What are P.	laintiffs' damag	es for the past and future los	s of
2	their son?			
3				
4	Patrick Russel:			
5	Past loss	\$		
6	Future loss	\$		
7				
8	<u>Lynne Russel</u> :			
9	Past loss			
10	Future loss	\$		
11				
12	If you answered "yes" as to any of	f the Defendants	in either Questions 2 or 3, p	olease
13	proceed to Question 10.			
14	If you answered "no" as to all of the	he Defendants ii	i both Questions 2 and 3, pla	ease
15	proceed to Question 14.			
16				
17	QUESTION 10: Did the Co	ounty of Orange	have inadequate training wi	ith
18	respect to handling situations of se	rious medical ne	eds for individuals in custoo	dy?
19				
20	YE	ES	NO	
21				
22	If you answered "yes" to Question 10, please proceed to Question 11.			
23	If you answered "no" to Question 10, please proceed to Question 12.			
24				
25				
26	///			
27	///			
28	///			
		-6- Proposed] Special	17-CV-00125-J	JLS (DFN
	PLAINTIFFS' P	'ROPOSED SPECIAL	VERDICT FORM	

1	QUESTION 11: Was the County of Orange's failure to train its medical		
2	staff employees the moving force behind the injury or harm to Mr. Russell?		
3			
4	YES NO		
5			
6	Please proceed to the next question.		
7			
8	QUESTION 12: Did the County of Orange have an unconstitutional policy,		
9	custom or practice?		
10			
11	YES NO		
12			
13	If you answered "yes" to Question 12, please proceed to Question 13.		
14	If you answered "no" to Question 12, please proceed to Question 14.		
15			
16	QUESTION 13: Was the County of Orange's unconstitutional policy,		
17	custom or practice the moving force behind injury or harm to Mr. Russell?		
18			
19	YES NO		
20			
21	Please proceed to the next question.		
22			
23			
24			
25			
26			
27			
28			
	-7- 17-CV-00125-JLS (DFN PLAINTIFFS' [PROPOSED] SPECIAL VERDICT FORM		
	PLAINTIFFS´ PROPOSED SPECIAL VERDICT FORM		

1	QUESTION 14: I	Did any of the Defend	dants act with malice, oppression, or
2	reckless disregard for Mr.	Russell's rights?	
3			
4	Jocelyn Lumitap	YES	NO
5	Patti Trout	YES	NO
6	Maria Teofilo	YES	NO
7	Thomas Le, D.O.	YES	NO
8			
9			
10			
11	Please sign and date this v	verdict form and retu	rn it to the Court.
12			
13	Dated:	Signed:	
14			Jury Foreperson
15			
16			
17			
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	Рг дт	-8- NTIFFS' [PROPOSED] SPE	17-CV-00125-JLS (DFN